

RECEIVED

MAY 06 2025

CLERK, U.S. DISTRICT COURT  
MINNEAPOLIS, MINNESOTA

Steve Salvador Ybarra  
Pro Se Litigant  
Minnesota | California  
TheoryWerkx.com  
Tel: 612.544.4380  
Steve@TheoryWerkx.com

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

Steve Salvador Ybarra  
Self-Represented  
Pro Se Litigant,

Plaintiff,

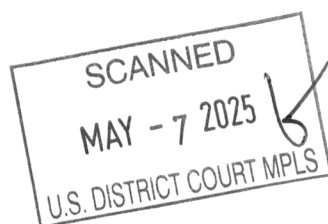
v.

Legal Assistance of Dakota County;  
Sharon Jones Esq., in her Individual and  
Official capacities;  
Hon. David Lutz, in his individual and  
Official capacities;  
Hon. Tanya Obrien, in her individual and  
official capacities;  
Hon. Danna L Edwards, in her individual  
and official capacities;  
Lydia Clemens, in her individual and  
official capacities;  
Michelle Cathleen Ybarra,

Defendants.

No. . 0:25-cv-01948-KMM-DJF

**SUPPLEMENTAL DECLARATION AND  
NOTICE OF POST – JUDGEMENT  
DEVELOPMENTS**



**DECLARATION OF STEVE SALVADOR YBARRA**

I, Steve Salvador Ybarra, declare and affirm as follows:

**I. Purpose of This Filing**

This declaration is submitted to formally notify the Court of **post-judgment developments** that materially distinguish the present action (25-cv-1948) from previously adjudicated matters (25-cv-894 and 25-cv-938), and to demonstrate that this case arises from a **continuing course of constitutional violations**, including **fraud upon the court**, procedural suppression, and the **use of ghostwritten affidavits to distort judicial fact-finding**.

These acts occurred **after final judgment was entered** in the above-captioned prior cases and independently sustain the Court's subject matter jurisdiction and equitable power to act under 42 U.S.C. §§ 1983, 1985(3), 1986, and 18 U.S.C. § 1962(d).

## II. Material Events Since Prior Federal Judgment (April 7, 2025)

### 1. May 5, 2025 – Filing of Ghostwritten Affidavit and Responsive Motion

A document purporting to be the sworn affidavit of Defendant Michelle Ybarra was submitted in Minnesota state court. Upon review, the document contains **legal citations, policy analysis, embedded evidentiary labeling, and strategic argumentation** that mirror the prose and motion language of Defendant Sharon Jones, Senior Counsel at Legal Assistance of Dakota County ("LADC").

This is not a conclusory allegation. It is a forensic observation: the affidavit's structure, diction, and embedded citations are **inaccessible to a layperson** and instead constitute an unauthorized surrogate pleading. This conduct squarely violates **Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)**, which prohibits "litigant ghostwriting by an interested party for strategic deception of the tribunal."

### 2. April 21–May 6, 2025 – Continuation of Sealed Discovery and Judicial Conflict

Judge David Lutz, a named defendant in this federal action, **refused to recuse** despite having formerly served with Legal Aid and **reappointed a Guardian ad Litem (Lydia Clemens)** who previously admitted on the record that her custody recommendation was based on **rescinded CPS findings**.

Judge Lutz issued **protective orders shielding LADC intake records**, refused to adjudicate over 20 motions filed by Plaintiff, and **abruptly terminated a hearing** after Plaintiff

1 raised Canon 2.11 judicial conflict violations on the record.

2 **3. Current State Court Hearing Set for May 12, 2025**

3 A hearing is scheduled in Dakota County Family Court before Judge Lutz to determine  
4 Plaintiff's access to his children. This proceeding will occur **under the cloud of sealed**  
5 **discovery, known judicial bias, and reliance on discredited affidavits and GAL**  
6 **reports.** It poses an immediate risk of further irreparable harm.

7  
8 **III. Legal Significance: This Case Is Not Moot, Repetitive, or Barred**

9 Plaintiff respectfully submits that:

- 10 • These events constitute **new operative facts** under *Fresh Results, LLC v. ASF, Inc.*, 921  
11 F.3d 1043 (8th Cir. 2019), sufficient to revive jurisdiction.
- 12 • The claims herein are **not barred by res judicata**, as they arise from **post-judgment**  
13 **conduct and live ongoing harm**, a well-recognized exception under *Plough v. W. Des*  
14 *Moines Cmty. Sch. Dist.*, 70 F.3d 512 (8th Cir. 1995).
- 15 • *Younger* and *Rooker-Feldman* abstention doctrines are inapplicable where the state forum  
16 is not impartial, and where injunctive relief is sought to prevent **ongoing constitutional**  
17 **violations.** See *Pulliam v. Allen*, 466 U.S. 522 (1984); *Mitchum v. Foster*, 407 U.S. 225  
18 (1972).

19  
20 **IV. Conclusion and Request for Judicial Notice**

21 The record is no longer a static historical claim. It is a living sequence of:

- 22 • Obstructed discovery,  
23 • Suppressed judicial rulings,  
24 • Ghostwritten pleadings,  
25 • Protective orders used to shield fraud,  
26 • And an upcoming hearing before a defendant judge presiding over a case in which he is  
27 accused of enterprise-level misconduct.

28 This Court is respectfully requested to:

- 1 • **Take notice** of the ongoing misconduct,
- 2 • Accept this declaration as a supplement to Dkt. 1 and Dkt. 23–25,
- 3 • And proceed to evaluate the pending Emergency Temporary Restraining Order in light of
- 4 the risk of **further federal injury** occurring as early as **May 12, 2025**.

5  
6 **I declare under penalty of perjury that the foregoing is true and correct.**

7 **Executed on May 5<sup>th</sup> 2025 in Dakota County, Lakeville, MN.**

8 Respectfully submitted,

9  
10 **/s/ Steve Salvador Ybarra**

11 Steve Salvador Ybarra

12 Pro Se Litigant

13 California | Minnesota

14 Email: Steve@TheoryWerkx.com

15 Phone: (612) 544-4380